

AMENDED IN SENATE SEPTEMBER 8, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 896

Introduced by Assembly Member Galgiani

February 26, 2009

An act to amend and repeal Section 14105.18 of the Welfare and Institutions Code, relating to health care.

LEGISLATIVE COUNSEL'S DIGEST

AB 896, as amended, Galgiani. Health care programs: provider reimbursement rates.

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care benefits.

Existing law also requires the department to administer various health programs, including the California Children's Services Program, Genetically Handicapped Person's Program, Breast and Cervical Cancer Early Detection Program, State-Only Family Planning Program, and Family Planning, Access, Care, and Treatment (Family PACT) Waiver Program. Existing law requires provider rates of payment for services under these programs to be identical to the rates of payment for the same service performed by the same provider type pursuant to the Medi-Cal program, except, until January 1, 2010, with regard to hospital interim rates of payment, which existing law requires to be 90% of Medi-Cal hospital inpatient rates of payment, as provided.

This bill would ~~extend indefinitely~~, *if AB 1383 is not enacted during the 2009 portion of the 2009–10 Regular Session of the Legislature, provide that the provisions that would otherwise be repealed on January 1, 2010, be repealed on January 1, 2011. This bill would, if AB 1383*

is enacted during the 2009 portion of the 2009–10 Regular Session of the Legislature, provide that the provisions that would otherwise be repealed on January 1, 2010, be repealed on the earlier of the date the department receives federal approval for the implementation of the provisions in AB 1383, but not before January 1, 2010, or January 1, 2011.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 14105.18 of the Welfare and Institutions*
2 *Code, as amended by Section 1 of Chapter 496 of the Statutes of*
3 *2008, is amended to read:*

4 14105.18. (a) Notwithstanding any other provision of law,
5 provider rates of payment for services rendered in all of the
6 following programs shall be identical to the rates of payment for
7 the same service performed by the same provider type pursuant to
8 the Medi-Cal program, except that hospital inpatient rates of
9 payment shall be 90 percent of the Medi-Cal hospital interim rates
10 of payment, as developed by the department, and these hospital
11 rates shall not be subject to any further reductions to Medi-Cal
12 rates of payment enacted before or after the effective date of the
13 act that amended this subdivision during the 2007–08 Regular
14 Session.

15 (1) The California Children’s Services Program established
16 pursuant to Article 5 (commencing with Section 123800) of
17 Chapter 3 of Part 2 of Division 106 of the Health and Safety Code.

18 (2) The Genetically Handicapped Person’s Program established
19 pursuant to Article 1 (commencing with Section 125125) of
20 Chapter 2 of Part 5 of Division 106 of the Health and Safety Code.

21 (3) The Breast and Cervical Cancer Early Detection Program
22 established pursuant to Article 1.5 (commencing with Section
23 104150) of Chapter 2 of Part 1 of Division 103 of the Health and
24 Safety Code and the breast cancer programs specified in Section
25 30461.6 of the Revenue and Taxation Code.

26 (4) The State-Only Family Planning Program established
27 pursuant to Division 24 (commencing with Section 24000).

(5) The Family Planning, Access, Care, and Treatment (Family PACT) Waiver Program established pursuant to subdivision (aa) of Section 14132.

(b) The director may identify in regulations other programs not listed in subdivision (a) in which providers shall be paid rates of payment that are identical to the rates of payments in the Medi-Cal program pursuant to subdivision (a).

(c) Notwithstanding subdivision (a), services provided under any of the programs described in subdivisions (a) and (b) may be reimbursed at rates greater than the Medi-Cal rate that would otherwise be applicable if those rates are adopted by the director in regulations.

(d) This section shall remain in effect only until ~~January 1, 2010~~ *the earlier of the date the department receives federal approval for the implementation of Article 5.21 (commencing with Section 14167.1) and Article 5.22 (commencing with Section 14167.31), but not before January 1, 2010, or January 1, 2011*, and as of that date is repealed, unless a later enacted statute, that is enacted before ~~January 1, 2010~~ *the earlier of the date the department receives federal approval for the implementation of Article 5.21 (commencing with Section 14167.1), but not before January 1, 2010, and Article 5.22 (commencing with Section 14167.31) or January 1, 2011*, deletes or extends that date.

~~SECTION 1.~~

SEC. 2. Section 14105.18 of the Welfare and Institutions Code, as amended by Section 1 of Chapter 496 of the Statutes of 2008, is amended to read:

14105.18. (a) Notwithstanding any other provision of law, provider rates of payment for services rendered in all of the following programs shall be identical to the rates of payment for the same service performed by the same provider type pursuant to the Medi-Cal program, except that hospital inpatient rates of payment shall be 90 percent of the Medi-Cal hospital interim rates of payment, as developed by the department, and these hospital rates shall not be subject to any further reductions to Medi-Cal rates of payment enacted before or after the effective date of the act that amended this subdivision during the 2007–08 Regular Session.

1 (1) The California Children's Services Program established
2 pursuant to Article 5 (commencing with Section 123800) of
3 Chapter 3 of Part 2 of Division 106 of the Health and Safety Code.

4 (2) The Genetically Handicapped Person's Program established
5 pursuant to Article 1 (commencing with Section 125125) of
6 Chapter 2 of Part 5 of Division 106 of the Health and Safety Code.

7 (3) The Breast and Cervical Cancer Early Detection Program
8 established pursuant to Article 1.5 (commencing with Section
9 104150) of Chapter 2 of Part 1 of Division 103 of the Health and
10 Safety Code and the breast cancer programs specified in Section
11 30461.6 of the Revenue and Taxation Code.

12 (4) The State-Only Family Planning Program established
13 pursuant to Division 24 (commencing with Section 24000).

14 (5) The Family Planning, Access, Care, and Treatment (Family
15 PACT) Waiver Program established pursuant to subdivision (aa)
16 of Section 14132.

17 (b) The director may identify in regulations other programs not
18 listed in subdivision (a) in which providers shall be paid rates of
19 payment that are identical to the rates of payments in the Medi-Cal
20 program pursuant to subdivision (a).

21 (c) Notwithstanding subdivision (a), services provided under
22 any of the programs described in subdivisions (a) and (b) may be
23 reimbursed at rates greater than the Medi-Cal rate that would
24 otherwise be applicable if those rates are adopted by the director
25 in regulations.

26 (d) *This section shall remain in effect only until January 1, 2011,*
27 *and as of that date is repealed, unless a later enacted statute, that*
28 *is enacted before January 1, 2011, deletes or extends that date.*

29 SEC. 3. *Section 14105.18 of the Welfare and Institutions Code,*
30 *as added by Section 2 of Chapter 496 of the Statutes of 2008, is*
31 *amended to read:*

32 14105.18. (a) Notwithstanding any other provision of law,
33 provider rates of payment for services rendered in all of the
34 following programs shall be identical to the rates of payment for
35 the same service performed by the same provider type pursuant to
36 the Medi-Cal program.

37 (1) The California Children's Services Program established
38 pursuant to Article 5 (commencing with Section 123800) of
39 Chapter 3 of Part 2 of Division 106 of the Health and Safety Code.

1 (2) The Genetically Handicapped Person's Program established
2 pursuant to Article 1 (commencing with Section 125125) of
3 Chapter 2 of Part 5 of Division 106 of the Health and Safety Code.

4 (3) The Breast and Cervical Cancer Early Detection Program
5 established pursuant to Article 1.5 (commencing with Section
6 104150) of Chapter 2 of Part 1 of Division 103 of the Health and
7 Safety Code and the breast cancer programs specified in Section
8 30461.6 of the Revenue and Taxation Code.

9 (4) The State-Only Family Planning Program established
10 pursuant to Division 24 (commencing with Section 24000).

11 (5) The Family Planning, Access, Care, and Treatment (Family
12 PACT) Waiver Program established pursuant to subdivision (aa)
13 of Section 14132.

14 (b) The director may identify in regulations other programs not
15 listed in subdivision (a) in which providers shall be paid rates of
16 payment that are identical to the rates of payments in the Medi-Cal
17 program pursuant to subdivision (a).

18 (c) Notwithstanding subdivision (a), services provided under
19 any of the programs described in subdivisions (a) and (b) may be
20 reimbursed at rates greater than the Medi-Cal rate that would
21 otherwise be applicable if those rates are adopted by the director
22 in regulations.

23 (d) This section shall become operative on ~~January 1, 2010~~ *the*
24 *earlier of the date the department receives federal approval for*
25 *the implementation of Article 5.21 (commencing with Section*
26 *14167.1) and Article 5.22 (commencing with Section 14167.31),*
27 *but not before January 1, 2010, or January 1, 2011.*

28 ~~SEC. 2. Section 14105.18 of the Welfare and Institutions Code,~~
29 ~~as added by Section 2 of Chapter 496 of the Statutes of 2008, is~~
30 ~~repealed.~~

31 *SEC. 4. Section 14105.18 of the Welfare and Institutions Code,*
32 *as added by Section 2 of Chapter 496 of the Statutes of 2008, is*
33 *amended to read:*

34 14105.18. (a) Notwithstanding any other provision of law,
35 provider rates of payment for services rendered in all of the
36 following programs shall be identical to the rates of payment for
37 the same service performed by the same provider type pursuant to
38 the Medi-Cal program.

(1) The California Children's Services Program established pursuant to Article 5 (commencing with Section 123800) of Chapter 3 of Part 2 of Division 106 of the Health and Safety Code.

(2) The Genetically Handicapped Person's Program established pursuant to Article 1 (commencing with Section 125125) of Chapter 2 of Part 5 of Division 106 of the Health and Safety Code.

(3) The Breast and Cervical Cancer Early Detection Program established pursuant to Article 1.5 (commencing with Section 104150) of Chapter 2 of Part 1 of Division 103 of the Health and Safety Code and the breast cancer programs specified in Section 30461.6 of the Revenue and Taxation Code.

(4) The State-Only Family Planning Program established pursuant to Division 24 (commencing with Section 24000).

(5) The Family Planning, Access, Care, and Treatment (Family PACT) Waiver Program established pursuant to subdivision (aa) of Section 14132.

(b) The director may identify in regulations other programs not listed in subdivision (a) in which providers shall be paid rates of payment that are identical to the rates of payments in the Medi-Cal program pursuant to subdivision (a).

(c) Notwithstanding subdivision (a), services provided under any of the programs described in subdivisions (a) and (b) may be reimbursed at rates greater than the Medi-Cal rate that would otherwise be applicable if those rates are adopted by the director in regulations.

(d) This section shall become operative on January 1, ~~2010~~ 2011.

SEC. 5. (a) If Assembly Bill 1383 is enacted during the 2009 portion of the 2009–10 Regular Session of the Legislature, Sections 1 and 3 of this bill shall become operative and Sections 2 and 4 of this bill shall not become operative.

(b) If Assembly Bill 1383 is not enacted during the 2009 portion of the 2009–10 Regular Session of the Legislature, Sections 2 and 4 of this bill shall become operative and Sections 1 and 3 of this bill shall not become operative.